IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.126 OF 2007
IN
CRI.APPLICATION NO.695 OF 2006
IN
CRI.APPLICATION NO.444 OF 2006
IN
CRI.APPLICATIN NO.1413 OF 2006

Abhishek Ambuj Kasliwal ..Applicant

Vs.

State of Maharashtra ..Respondents

...

Mr.A.P.Mundargi i/b Khaitan and Jayakar
for applicant
Mr.Rajesh More A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 9, 2007

P.C.

1. Heard the learned senior advocate for the applicant and the learned A.P.P. for the State.

2. The applicant had been granted bail by this Court. While granting bail, one of the conditions imposed on the applicant was that he shall deposit his passport with the Investigating Officer and that he shall not travel abroad without prior permission of this Court. The applicant is now

seeking permission to travel abroad i.e. to China, Hong Kong and Dubai. The applicant had earlier preferred a similar application before this Court for grant of permission to travel abroad which came to be granted by this Court by order dated 13.10.2006. It is further stated that the passport of the applicant will be expiring on 20.4.2007 and hence, the applicant seeks direction to the respondent to hand over the passport to the applicant for the purpose of renewal of the same.

3. The learned A.P.P. on instructions from the I.O. who is present in Court, states that the applicant has followed all the conditions imposed in the earlier order and no breach of any of the conditions, is alleged by the prosecution. Looking to these facts, I am inclined to grant permission to the applicant to travel abroad during the pendency of the trial on the following terms and conditions.

(a) The applicant or his representative shall deposit a sum of Rs.50,000/- before the trial Court. On deposit of

the sum of Rs.50,000/- by the applicant or his representative, the Respondent shall hand over the passport to the representative/counsel of the applicant;

(b) One week before the applicant is going to leave India, the applicant or his representative shall give the detail itinerary relating to the travel of the applicant to the concerned officer of the Worli Police Station, Mumbai. The itinerary shall include the addresses at which the applicant will reside during the period that he is abroad and the contact numbers on which he can be contacted while he is abroad.

(c) The passport of applicant shall be returned to the Senior Police Inspector, Worli Police Station, Mumbai within a period of seven days from the return of the applicant to India. Only after the applicant surrenders his passport, the trial Court will permit withdrawal of the cash deposit of Rs.50,000/- by the

applicant.

(d) It is made clear that whenever the applicant wishes to travel abroad till the conclusion of the trial, the above procedure as stated in paras (a), (b) and (c) above, will be followed.

(e) Liberty is granted to the applicant to apply for renewal of the passport for a period of five years and the passport authorities may renew the same for the said period after due compliance of all the requirements, if permissible in law.

(f) Parties and the concerned authorities to act upon an authenticated copy of this order.

(g) Application is disposed of.

[Smt.V.K.Tahilramani, J.]